

REMARKS

Claims 42-60 are pending. Claims 42, 43, 49, 54 and 59 have been amended herein. No new matter has been added as a result of the amendments made herein.

35 U.S.C. § 102 Rejections

According to the Office Action dated January 2, 2008, claims 42, 49-50, 53 and 59-60 are rejected under 35 U.S.C. § 102(e) as being anticipated by Jacobs et al. (U.S. Patent No. 6,279,056 B1). Applicants have reviewed the Jacobs et al. reference, and respectfully submit that the embodiments of the claimed invention set forth in claims 42, 49-50, 53, and 59-60 are neither anticipated nor rendered obvious by Jacobs et al.

The Examiner is directed to independent claims 42 and 59. Jacobs et al. does not teach or suggest each of the limitations of independent claims 42 and 59. Among other reasons, Jacobs et al. does not teach or suggest a controller comprising a switch having a first state and a second state, wherein said switch in said first state decouples said controller from said computer subsystem and from an audio integrated circuit (IC) coupled to said computer subsystem, wherein said audio IC is configured to play said plurality of audio file if said switch is in said first state, and wherein said switch in said second state couples said controller to said computer subsystem in response to said computer system being in said inactive state; and decoder circuitry for providing an audio signal to a speaker so as to play said plurality of audio files if said switch is in said second state, wherein said speaker is selectively coupled to said audio IC and said decoder circuitry according to said state of said switch, as recited in independent claim 42 (from which claims 49-50 and 53 depend).

Claims 59 recites limitations similar to those of claim 42. Thus, by similar rationale, Jacobs et al. also does not teach or suggest a method for playing a plurality of audio files in a computer system comprising a computer subsystem, which includes playing said plurality of audio files by said audio IC if said computer system is in said active state; controlling access and playing of said plurality of audio files by said audio controller if said computer system is in said inactive state; selectively coupling said audio IC and said audio controller to a speaker according to said active state and said inactive state as recited in independent claim 59 (from which claim 60 depends).

Consequently, Applicants respectfully submit that the embodiments of the claimed invention set forth in claims 42, 49-50, 53, and 59-60 are not taught or anticipated by Jacobs et al. Therefore, Applicants respectfully submit that the basis for rejecting claims 42, 49-50, 53, and 59-60 under 35 U.S.C. § 102(e) is traversed.

35 U.S.C. § 103 Rejections

According to the Office Action dated January 2, 2008, claims 43-48, 51-52 and 54-58 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Jacobs et al. (U.S. Patent No. 6,279,056 B1) in view of Lee (U.S. Patent No. 6,292,440 B1). Applicants have reviewed the Jacobs et al. reference and the Lee reference, and respectfully submit that the embodiments of the claimed invention set forth in claims 43-48, 51-52 and 54-58 are neither anticipated nor rendered obvious by Jacobs et al. in view of Lee.

A shortcoming of this combination is that the primary reference Jacobs et al. does not teach or suggest each of the limitations of independent claims 42 and 54, and

the secondary reference Lee fails to teach or suggest a modification of Jacobs et al. that would remedy the deficiencies of Jacobs et al.

In particular, as presented above, the primary reference Jacobs et al. does not teach or anticipate each and every limitation set forth in independent claim 42. Furthermore, Applicants respectfully submit that the second reference Lee, alone or in combination with Jacobs et al., also does not teach or suggest a controller comprising a switch having a first state and a second state, wherein said switch in said first state decouples said controller from said computer subsystem and from an audio integrated circuit (IC) coupled to said computer subsystem, wherein said audio IC is configured to play said plurality of audio file if said switch is in said first state, and wherein said switch in said second state couples said controller to said computer subsystem in response to said computer system being in said inactive state; and decoder circuitry for providing an audio signal to a speaker so as to play said plurality of audio files if said switch is in said second state, wherein said speaker is selectively coupled to said audio IC and said decoder circuitry according to said state of said switch, as recited in independent claim 42 (from which claims 49-50 and 53 depend).

Claim 54 recites limitations similar to those of claim 42. Thus, by similar rationale, the primary reference Jacobs et al. also does not teach or suggest a controller for enabling a plurality of audio files to be played on a computer subsystem of a computer system if said computer system is in an inactive state, which includes a switch having a first state and a second state, wherein said switch in said first state decouples said controller from said computer subsystem and from an audio IC coupled to said computer subsystem, wherein said audio IC is configured to play said plurality of audio files if said switch is in said first state, and wherein said switch in

said second state couples said controller to said computer subsystem in response to said computer system being in said inactive state; and decoder circuitry for receiving said compressed audio data and output decompressed audio data to a speaker so as to play said plurality of audio files if said switch is in said second state, wherein said speaker is selectively coupled to said audio IC and said decoder circuit according to said state of said switch, as recited in independent claim 54 (from which claims 55-58 depend).

Furthermore, Applicants respectfully submit that the second reference Lee, alone or in combination with Jacobs et al., also does not teach or suggest a controller for enabling a plurality of audio files to be played on a computer subsystem of a computer system if said computer system is in an inactive state, which includes a switch having a first state and a second state, wherein said switch in said first state decouples said controller from said computer subsystem and from an audio IC coupled to said computer subsystem, wherein said audio IC is configured to play said plurality of audio files if said switch is in said first state, and wherein said switch in said second state couples said controller to said computer subsystem in response to said computer system being in said inactive state; and decoder circuitry for receiving said compressed audio data and output decompressed audio data to a speaker so as to play said plurality of audio files if said switch is in said second state, wherein said speaker is selectively coupled to said audio IC and said decoder circuit according to said state of said switch, as recited in independent claim 54 (from which claims 55-58 depend).

Consequently, Applicants respectfully submit that the embodiments of the claimed invention set forth in claims 43-48, 51-52 and 54-58 are not taught or anticipated by Jacobs et al. in view of Lee. Therefore, Applicants respectfully submit that the basis for rejecting claims 43-48, 51-52 and 54-58 under 35 U.S.C. § 103(a) is traversed.

Conclusions

In view of the foregoing amendments and remarks, the Applicants respectfully submit that the pending claims are in condition for allowance. The Applicants respectfully request reconsideration of the application and allowance of the pending claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Respectfully submitted,

MURABITO HAO & BARNES LLP

Date: 05/02/2008

/William A. Zarbis/

William A. Zarbis
Registration No.: 46,120

Two North Market Street
Third Floor
San Jose, California 95113
(408) 938-9060